

1 Nathan R. Ring
2 Nevada State Bar No. 12078
2 **STRANCH, JENNINGS & GARVEY, PLLC**
3 3100 W. Charleston Blvd., Ste. 208
3 Las Vegas, NV 89102
4 Telephone: 725-235-9750
4 LasVegas@StranchLaw.com

5 *Attorneys for Plaintiff and the Proposed Class*

6 Todd L. Bice
7 NV State Bar No. 4534
7 **PISANELLI BICE, PLLC**
8 400 S. 7th Street Suite 300
8 Las Vegas, NV 89101
9 Telephone: 702.214.2100
9 tlb@pisanellibice.com

10 Angela C. Agrusa (CA State Bar No. 131337)*
10 **DLA PIPER LLP (US)**
11 2000 Avenue of the Stars
11 Suite 400 North Tower
12 Los Angeles, CA 90067-4735
12 Telephone: 310.595.3000
13 angela.agrusa@us.dlapiper.com

14 **Pro hac vice application forthcoming*

15 *Attorneys for Defendant*
15 *MGM Resorts International*

16

17

18 **UNITED STATES DISTRICT COURT**
19 **DISTRICT OF NEVADA**

20 DAVID ZUSSMAN, individually and on behalf
20 of all others similarly situated

21 Plaintiff,

22 v.

23 VICI PROPERTIES L.P., et al.,

24 Defendants.

25 Case No. 2:23-cv-1537-CDS-BNW

26 **STIPULATION TO EXTEND TIME**
27 **TO FILE DEFENDANT'S**
28 **RESPONSE TO COMPLAINT**
28 **(FIRST REQUEST)**

1 Pursuant to LR IA 6-1, Plaintiff David Zussman and Defendant MGM Resorts
 2 International (“MGM”) respectfully stipulate that MGM’s time to respond to the Complaint
 3 be extended from the current deadline of October 27, 2023 to and including December 12,
 4 2023. This is the first stipulation for an extension of time to file MGM’s responsive pleading.

5 Good cause exists to enlarge the time for MGM to respond to the Amended
 6 Complaint. Between September 21 and October 11, 2023, nine other related actions were
 7 filed against MGM in two other federal courts (the “Related Actions”). *See Owens v. MGM*
 8 *Resorts Int’l*, No. 2:23-cv-01480 (D. Nev.); *Pircio v. MGM Resorts Int’l*, No. 2:23-cv-01550
 9 (D. Nev.); *Lackey v. MGM Resorts Int’l*, No. 2:23-cv-01549 (D. Nev.); *Kirwan v. MGM*
 10 *Resorts Int’l*, No. 2:23-cv-01481 (D. Nev.); *Terezko v. MGM Resorts Int’l*, No. 2:23-cv-01577
 11 (D. Nev.); *Rundell v. MGM Resorts Int’l*, No. 2:23-cv-01698 (D. Nev.); *Bezak v. MGM*
 12 *Resorts Int’l*, No. 2:23-cv-01719 (D. Nev.); *Albrigo v. MGM Resorts Int’l*, No. 3:23-cv-
 13 01797 (S.D. Cal.); *Lassoff v. MGM Resorts Int’l, et al.*, No. 1:23-cv-20419 (D.N.J.).

14 MGM’s counsel was only recently retained and requires additional time to review,
 15 investigate, and analyze the allegations in both the Complaint and the Related Actions.
 16 Moreover, based on the Parties’ current understanding of the claims, there are significant
 17 overlaps between this action and the Related Actions. As such, additional time is required to
 18 permit time to meet and confer with the various parties to the Related Actions, evaluate the
 19 potential consolidation of the cases, and conserve judicial resources.

20 The Parties’ request is made in good faith to enable MGM to complete an
 21 investigation into Plaintiff’s claims. Moreover, this case is in its infancy, and this request
 22 will not prejudice any party.

23 **WHEREAS** the Parties respectfully request that the Court extend MGM’s time to
 24 answer, move, or otherwise respond to the Complaint from October 27, 2023 to and
 25 including December 12, 2023.

26 Dated: October 26, 2023

Respectfully submitted,

27 /s/ Nathan R. Ring

28

1 Nathan R. Ring
2 **STRANCH, JENNINGS & GARVEY,**
3 **PLLC**
4 3100 W. Charleston Blvd., Ste. 208
Las Vegas, NV 89102
Telephone: 725-235-9750
LasVegas@StranchLaw.com

5 *Attorneys for Plaintiff and the Proposed*
6 *Class*

7 /s/ Todd L. Bice

8 Todd L. Bice
9 **PISANELLI BICE, PLLC**
10 400 S. 7th Street Suite 300
Las Vegas, NV 89101
Telephone: 702.214.2100
tlb@pisanellibice.com

11 Angela C. Agrusa
12 **DLA PIPER LLP (US)**
13 2000 Avenue of the Stars
Suite 400 North Tower
Los Angeles, CA 90067-4735
Telephone: 310.595.3000
angela.agrusa@us.dlapiper.com

14
15 *Attorneys for Defendant*
16 *MGM Resorts International*

17
18
19 **IT IS SO ORDERED:**

20
21 
22
23

24 DATED: 10/27/2023